

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ALEXSAM, INC.,

Plaintiff,

v.

SIMON PROPERTY GROUP, L.P.,

Defendant.

No. 2:19-CV-00331-JRG

JURY TRIAL DEMANDED

**UNOPPOSED MOTION TO CONTINUE DEADLINE
TO JOIN ADDITIONAL PARTIES**

Defendant Simon Property Group, L.P. (“SPG” or “Defendant”) respectfully requests that the Court continue the deadline to join additional parties by three weeks, from May 25, 2020 to June 15, 2020. Plaintiff AlexSam, Inc. (“Alexsam” or “Plaintiff”) does not oppose this motion. In support of this Motion, SPG states as follows:

1. The initial Scheduling Order in this case was entered on April 17, 2020 (Dkt. 23), Plaintiff served its infringement contentions and disclosures pursuant to P.R. 3-1 and 3-2 on May 9, 2020, and the Scheduling Conference was held on May 18, 2020.
2. Pursuant to the initial Scheduling Order, the deadline to join additional parties is currently May 25, 2020, one week after the scheduling conference. (*See* Dkt. 23 at 2.)
3. SPG has entered various agreements with third parties concerning the accused products in this case. At least some of these agreements include notice, defense, and indemnity provisions related to the asserted claims and accused products. SPG is in the process of and has been diligently working on complying with such notice provisions and determining which parties

should be properly joined to this case. SPG's efforts in this respect have been somewhat impeded by COVID-19 related office closures preventing access to certain agreements and delays in awaiting responses from, and an opportunity for discussion with, those parties, causing a need for additional time.

4. This Motion is timely and was filed prior to the deadline for joining additional parties. The case is still in very early stages and this extension is not sought for the purposes of delay, but for good cause to ensure that the correct parties are properly joined to this action. Thus, a short extension of time to join additional parties at this early stage will not prejudice the parties and should not affect any other dates in the schedule.

Accordingly, SPG moves the Court to continue the deadline to join additional parties to June 15, 2020.

Dated: May 21, 2020

Respectfully submitted

By: /s/ Leanna Anderson
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Counsel for Defendant Simon Property Group

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 21, 2020 I caused the foregoing document to be served on counsel of record via the Court's CM/ECF system.

/s/ Leanna Anderson
Leanna Anderson

CERTIFICATE OF CONFERENCE

I HEREBY CERTIFY that on May 21, 2020 counsel for the Movant Defendant corresponded by telephone with Plaintiff's counsel regarding the foregoing Motion. Plaintiff does not oppose the Motion.

/s/ Leanna Anderson
Leanna Anderson